

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Magis LLC,

Civil No. 24-229 (DWF/DJF)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Ivan Torres and Samuel J. Armstrong,

Defendants.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Dulce J. Foster dated July 16, 2024 (Doc. No. 20). No objections have been filed to the Report and Recommendation in the time period permitted.

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. The Magistrate Judge recommended that this matter be dismissed without prejudice based on Plaintiff's failure to file proof of service on either Defendant or show cause as to why this matter should not be dismissed.

Based upon the Report and Recommendation of the Magistrate Judge and upon all files, records, and proceedings herein, the Court now enters the following:

ORDER

1. Magistrate Judge Dulce J. Foster's July 16, 2024 Report and Recommendation (Doc. No. [20]) is **ADOPTED**.

2. This matter is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 4(m) for failure to properly serve Defendants.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 23, 2024

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge